

GILBERT,MIDP,STAYED

**United States District Court  
Northern District of Illinois – CM/ECF LIVE, Ver 6.3.1 (Chicago)  
CIVIL DOCKET FOR CASE #: 1:18-cv-04269**

Chapman v. Office of Management and Budget  
Assigned to: Honorable John J. Tharp, Jr  
Demand: \$0  
Cause: 05:552 Freedom of Information Act

Date Filed: 06/20/2018  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****Matthew Chapman**

represented by **Daniel E Massoglia**  
Daniel Massoglia, Esq.  
2863 W. Dickens AVE  
#2F  
Chicago, IL 60647  
(336) 575 6968  
Email: [dmassoglia@gmail.com](mailto:dmassoglia@gmail.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Mariana Karampelas**  
MK Law, LLC  
180 West Washington St.  
Suite 700  
Chicago, IL 60602  
(312) 545-8660  
Email: [mk@mklawchicago.com](mailto:mk@mklawchicago.com)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant****Office of Management and Budget**

represented by **AUSA – Chicago**  
United States Attorney's Office (NDIL – Chicago)  
219 South Dearborn Street  
Chicago, IL 60604  
Email: [USA.ILN.ECFAUSA@usdoj.gov](mailto:USA.ILN.ECFAUSA@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Jimmy Lorenzo Arce**  
United States Attorneys Office  
219 S. Dearborn  
5th Floor  
Chicago, IL 60604  
(312) 353-8449  
Email: [Jimmy.Arce@usdoj.gov](mailto:Jimmy.Arce@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
06/20/2018	<u>1</u>	COMPLAINT filed by Matthew Chapman; Filing fee \$ 400, receipt number 0752-14607304. (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2, # <u>3</u> Exhibit Exhibit 3, # <u>4</u> Exhibit Exhibit 4)(Massoglia, Daniel) (Entered: 06/20/2018)
06/20/2018	<u>2</u>	CIVIL Cover Sheet (Massoglia, Daniel) (Entered: 06/20/2018)

06/20/2018	<u>3</u>	ATTORNEY Appearance for Plaintiff Matthew Chapman by Daniel E Massoglia (Massoglia, Daniel) (Entered: 06/20/2018)
06/20/2018		CASE ASSIGNED to the Honorable John J. Tharp, Jr. Designated as Magistrate Judge the Honorable Jeffrey T. Gilbert. (ec, ) (Entered: 06/20/2018)
06/20/2018		SUMMONS Issued as to Office of Management and Budget, U.S. Attorney, and U.S. Attorney General (ec, ) (Entered: 06/20/2018)
06/21/2018	<u>4</u>	NOTICE TO THE PARTIES – The Court is participating in the Mandatory Initial Discovery Pilot (MIDP). The key features and deadlines are set forth in this Notice which includes a link to the (MIDP) Standing Order and a Checklist for use by the parties. In cases subject to the pilot, all parties must respond to the mandatory initial discovery requests set forth in the Standing Order before initiating any further discovery in this case. Please note: The discovery obligations in the Standing Order supersede the disclosures required by Rule 26(a)(1). Any party seeking affirmative relief must serve a copy of the following documents (Notice of Mandatory Initial Discovery and the Standing Order) on each new party when the Complaint, Counterclaim, Crossclaim, or Third-Party Complaint is served. (sxb, ) (Entered: 06/21/2018)
06/21/2018	<u>5</u>	ATTORNEY Appearance for Plaintiff Matthew Chapman by Mariana Karampelas (Karampelas, Mariana) (Entered: 06/21/2018)
07/08/2018	<u>6</u>	SUMMONS Returned Executed by Matthew Chapman as to Office of Management and Budget served on 6/27/2018, answer due 8/27/2018, SUMMONS Returned Executed by Matthew Chapman as to Office of Management and Budget on 6/27/2018, answer due 8/27/2018. (Attachments: # <u>1</u> Affidavit Return of Service on U.S. Attorney of ND IL, # <u>2</u> Affidavit Return of Service on U.S. Attorney General)(Massoglia, Daniel) (Entered: 07/08/2018)
07/09/2018	<u>7</u>	MINUTE entry before the Honorable John J. Tharp, Jr:This case is set for an initial status conference on 9/12/18 at 9:00 a.m. The parties are directed to review the procedures for initial status conferences, located at [https://www.ilnd.uscourts.gov/judge–info.aspx?79eF+7uiX7ewBj/ITKrjoA==], and to submit the required initial status report no later than 9/5/18. Mailed notice (air, ) (Entered: 07/09/2018)
07/19/2018	<u>8</u>	DESIGNATION of Jimmy Lorenzo Arce as U.S. Attorney for Defendant Office of Management and Budget (Arce, Jimmy) (Entered: 07/19/2018)
08/22/2018	<u>9</u>	MOTION by Defendant Office of Management and Budget for extension of time <i>Defendant's Unopposed Motion to Extend Deadline to File Answer</i> (Arce, Jimmy) (Entered: 08/22/2018)
08/22/2018	<u>10</u>	NOTICE of Motion by Jimmy Lorenzo Arce for presentment of extension of time <u>9</u> before Honorable John J. Tharp Jr. on 8/28/2018 at 09:00 AM. (Arce, Jimmy) (Entered: 08/22/2018)
08/23/2018	<u>11</u>	MINUTE entry before the Honorable John J. Tharp, Jr:Defendant's unopposed motion for extension of time <u>9</u> is granted. No appearance on the motion is required. The government's deadline to answer or otherwise respond to the complaint is now 9/28/17. The initial status conference set for 9/12/18 is reset to 10/10/18 at 9:00 a.m. The initial status report is now due 10/3/18. Mailed notice (air, ) (Entered: 08/23/2018)
09/28/2018	<u>12</u>	MOTION by Defendant Office of Management and Budget for extension of time to file answer regarding order on motion for extension of time,, terminate hearings,, set/reset hearings, <u>11</u> (Arce, Jimmy) (Entered: 09/28/2018)
09/28/2018	<u>13</u>	NOTICE of Motion by Jimmy Lorenzo Arce for presentment of motion for extension of time to file answer <u>12</u> before Honorable John J. Tharp Jr. on 10/4/2018 at 09:00 AM. (Arce, Jimmy) (Entered: 09/28/2018)
10/01/2018	<u>14</u>	MINUTE entry before the Honorable John J. Tharp, Jr:Defendant's motion to extend the deadline to file an answer <u>12</u> is granted. No appearance on the motion is required. Defendant's deadline to file an answer or otherwise respond to the complaint is now 10/5/18. The initial status conference set for 10/10/18 is reset to 10/17/18 at 9:00 a.m. The initial status report is now due 10/10/18. Mailed notice (air, ) (Entered:

		10/01/2018)
10/05/2018	<u>15</u>	ANSWER to Complaint by Office of Management and Budget(Arce, Jimmy) (Entered: 10/05/2018)
10/09/2018	<u>16</u>	STATUS Report <i>Joint Initial Status Report</i> by Matthew Chapman (Massoglia, Daniel) (Entered: 10/09/2018)
10/17/2018	<u>17</u>	MINUTE entry before the Honorable John J. Tharp, Jr:Status hearing held and continued to 2/21/19 at 9:00 a.m. to set a possible expert discovery schedule. Defendant did not appear for today's hearing. This case is under the MIDP pilot program. Once the parties have complied with MIDP, formal discovery may be served. Fact discovery cut-off set on 2/22/19. Mailed notice (air, ) (Entered: 10/17/2018)
11/05/2018	<u>18</u>	NOTICE of Service of Responses to Mandatory Initial Discovery (MIDP) , filed by Plaintiff Matthew Chapman. (Massoglia, Daniel) (Entered: 11/05/2018)
11/28/2018	<u>19</u>	<i>Plaintiff's Motion to Compel MIDPP Disclosures</i> NOTICE of Motion by Daniel E Massoglia for presentment of before Honorable John J. Tharp Jr. on 12/6/2018 at 09:00 AM. (Massoglia, Daniel) (Entered: 11/28/2018)
11/28/2018	<u>20</u>	MOTION by Plaintiff Matthew Chapman to compel <i>MIDPP Responses</i> (Massoglia, Daniel) (Entered: 11/28/2018)
12/03/2018	<u>21</u>	RESPONSE by Office of Management and Budget to MOTION by Plaintiff Matthew Chapman to compel <i>MIDPP Responses</i> <u>20</u> (Attachments: # <u>1</u> Exhibit)(Arce, Jimmy) (Entered: 12/03/2018)
12/04/2018	<u>22</u>	REPLY by Matthew Chapman to response to motion <u>21</u> to <i>Compel MIDPP Responses</i> (Massoglia, Daniel) (Entered: 12/04/2018)
12/06/2018	<u>23</u>	MINUTE entry before the Honorable John J. Tharp, Jr:Motion hearing held. Plaintiff's motion to compel <u>20</u> is granted in part. Defendant is relieved from its MIDP obligations. Plaintiff may proceed to issue discovery and leave will be granted upon request for reasonable additional interrogatories, if needed. Fact discovery cut-off is extended to 4/15/19. Status hearing scheduled for 2/21/19 remains in effect. Mailed notice (air, ) (Entered: 12/07/2018)
12/26/2018	<u>24</u>	GENERAL ORDER 18-0028 dated 12/26/18: IT IS HEREBY ORDERED, effective December 26, 2018, that all civil litigation involving as a party the United States of America, is immediately suspended, postponed and held in abeyance continuing for a period of fourteen (14) days from the date of entry of this General Order (For Further Details See Attached Order). Signed by the Honorable Ruben Castillo on 12/26/2018: Mailed notice. (sm, ) (Entered: 12/30/2018)
01/08/2019	<u>25</u>	AMENDED GENERAL ORDER 18-0028 dated 01/08/2019: On December 26, 2018, General Order 18-0028 was entered. It appearing that the lapse of congressional appropriations funding the federal government continues, therefore General Order 18-0028 is now amended. (For Further Details See Attached Order). Signed by the Honorable Ruben Castillo on 1/8/2019: Mailed notice. (sm, ) (Entered: 01/08/2019)
01/28/2019	<u>26</u>	GENERAL ORDER 19-0004: RESETTING OF DEADLINES IN CIVIL MATTERS INVOLVING THE UNITED STATES AS A PARTY. IT APPEARING THAT as a result of the partial federal government shutdown, this Court amended General Order 18-0028 suspending as of December 21, 2018, all civil litigation in which the United States of America, its agencies, its officers, or employees were parties, with the stated intention of clarifying schedules in such cases upon the expiration of the lapse in appropriations; and IT FURTHER APPEARING THAT appropriations having been restored to fund the Department of Justice and other Executive Branch agencies, with employees beginning to report for work beginning on January 28, 2019; accordingly IT IS THEREFORE ORDERED that the stay entered by General Order 18-0028 is hereby lifted, and any and all deadlines in the affected civil litigation (whether established by order, rule, or agreement.), including but not limited to any scheduled discovery and pleading dates, are extended by 42 days. (For Further Details See Attached Order). Signed by the Honorable Ruben Castillo on 1/28/2019: Mailed notice. (mgw, ) (Entered: 01/28/2019)

01/29/2019	<u>27</u>	MINUTE entry before the Honorable John J. Tharp, Jr: Notwithstanding the Court's General Order 19-0004, the status hearing set for 2/21/19 remains as scheduled. The Court will determine whether the fact discovery deadline will be adjusted at that hearing. Mailed notice (air, ) (Entered: 01/29/2019)
02/21/2019	<u>28</u>	MINUTE entry before the Honorable John J. Tharp, Jr: Status hearing held and continued to 3/28/19 at 9:00 a.m. Defendant's oral motion for extension of time to answer interrogatories is granted. Defendant's answers to interrogatories are due by 3/14/19. Defendant's oral motion to quash plaintiff's requests to admit is taken under advisement and defendant's responses are held in abeyance. Plaintiff is to file these requests as proposed requests to admit on the docket prior to the 3/28/19 hearing. Mailed notice (cn). (Entered: 02/21/2019)
02/23/2019	<u>29</u>	Plaintiff's Proposed Requests to Admit by Matthew Chapman (Massoglia, Daniel) (Entered: 02/23/2019)
03/28/2019	<u>30</u>	MINUTE entry before the Honorable John J. Tharp, Jr:Status hearing held. The government is granted leave to file a motion for summary judgment which is due by 4/25/19. Plaintiff's response is due by 5/16/19. The government's reply is due by 5/30/19. Once the motion is briefed, the Court will rule via CM/ECF notice and set a future date as appropriate. Mailed notice (air, ) (Entered: 03/28/2019)
04/22/2019	<u>31</u>	NOTICE by Daniel E Massoglia of Change of Address (Massoglia, Daniel) (Entered: 04/22/2019)
04/23/2019	<u>32</u>	MOTION by Defendant Office of Management and Budget to stay <i>Agreed Motion to Stay</i> (Arce, Jimmy) (Entered: 04/23/2019)
04/23/2019	<u>33</u>	NOTICE of Motion by Jimmy Lorenzo Arce for presentment of motion to stay <u>32</u> before Honorable John J. Tharp Jr. on 5/8/2019 at 09:00 AM. (Arce, Jimmy) (Entered: 04/23/2019)
04/24/2019	<u>34</u>	MINUTE entry before the Honorable John J. Tharp, Jr:The agreed motion to stay <u>32</u> is granted. No appearance on the motion is required. All deadlines in this case are hereby stayed, including for the briefing on the defendant's motion for summary judgment. A status hearing is set for 5/23/19 at 9:00 a.m. Mailed notice (air, ) (Entered: 04/24/2019)
05/20/2019	<u>35</u>	MOTION by Plaintiff Matthew Chapman to stay <i>Agreed Motion to Extend Stay and Continue Status Hearing</i> (Massoglia, Daniel) (Entered: 05/20/2019)
05/20/2019	<u>36</u>	NOTICE of Motion by Daniel E Massoglia for presentment of motion to stay <u>35</u> before Honorable John J. Tharp Jr. on 6/12/2019 at 09:00 AM. (Massoglia, Daniel) (Entered: 05/20/2019)
05/21/2019	<u>37</u>	MINUTE entry before the Honorable John J. Tharp, Jr:The agreed motion to extend the stay and continue the status hearing <u>35</u> is granted. No appearance on the motion is required. The status hearing scheduled for 5/23/19 is stricken and reset for 8/1/19 at 9:00 a.m. This case remains stayed. (rbf, ) (Entered: 05/21/2019)
08/01/2019	<u>38</u>	MINUTE entry before the Honorable John J. Tharp, Jr:Status hearing held and continued to 8/16/19 at 9:30 a.m. Mailed notice (air, ) (Entered: 08/01/2019)
08/16/2019	<u>39</u>	MINUTE entry before the Honorable John J. Tharp, Jr:Status hearing held and continued to 9/12/19 at 9:00 a.m..Mailed notice (air, ) (Entered: 08/19/2019)
09/12/2019	<u>40</u>	MINUTE entry before the Honorable John J. Tharp, Jr:Status hearing held and continued to 11/12/19 at 9:00 a.m. Defendant did not appear for today's hearing. Plaintiff believes that the parties have reached a settlement in principal. Mailed notice (air, ) (Entered: 09/12/2019)
11/12/2019	<u>41</u>	MINUTE entry before the Honorable John J. Tharp, Jr:Status hearing held and continued to 2/18/20 at 9:00 a.m. Parties continue to negotiate settlement. If a stipulated dismissal is filed before the next hearing date, the hearing will be stricken.Mailed notice (air, ) (Entered: 11/12/2019)